

Remarks

Claims 28-38 were pending in the application. Claims 28-38 were rejected. Claims 30, 31, and 33 are canceled. Claims 28, 29, 32, and 35 are amended. Claims 39-50 are added. Claims 28, 29, 32, and 34-50 are now pending in the application. Claims 28 and 39 are the independent claims. Reconsideration of the amended application is respectfully requested.

The examiner rejected claims 28-38 as being unpatentable over Bedell et al.

As amended, independent claim 28 recites a method of automatically recording Internet activity performed by a user on behalf of a client of the user. The method includes initiating, by the user, a client session by opening an Internet browser window. The user is automatically prompted for a user identifier and at least one of a client identifier and a client matter identifier. Access to the Internet is denied until the user identifier and the at least one of the client identifier and the client matter identifier is provided by the user. The user provides at least one of the user identifier and the at least one of the client identifier and the client matter identifier, and performs Internet activity on behalf of the client. A start time value is automatically generated based at least in part on a start time of the Internet activity. A completion time value is automatically generated based at least in part on a completion time of the Internet activity. An activity record is automatically generated corresponding to the Internet activity performed by the user between the start time and the completion time. A session record is automatically stored that includes the start time value, the completion time value, and a listing of pages and files accessed by the user while performing the Internet activity. At least one of a bill

and a report is automatically generated based at least in part on the session record. At least one of the bill and the report is forwarded to the client. The Internet activity includes accessing at least one of publicly-available pages and files via the Internet.

In contrast, Bedell et al. recite an Internet-based attorney-client billing system. According to this system, an attorney performing work on behalf of a client logs his or her billed time while performing client work of any type. The system allows the attorney and law firm management to use the Internet as the network means for assembling billing information for all attorneys and billing professionals working for a particular client so that client billing data can be aggregated and so that client budget information is shared and followed. Because the Internet is used as the network means for the system, browser pages are used for information presentation to the attorney and administration.

The examiner stated that Bedell et al. disclose monitoring Internet activity performed by a user client at a terminal comprising a client identifier, noting Fig. 3. However, Bedell et al. do not disclose or suggest any Internet activity performed by a user on behalf of a client, and the Bedell et al. system does not monitor Internet activity. Rather, the Bedell et al. system is a timekeeper billing system that uses a browser application for presenting information and the Internet as a network means for sharing information. Bedell et al. does not disclose or suggest Internet activity, that is, accessing at least one of publicly-available pages and files via the Internet, performed by the user on behalf of the client. See column 14, line 48 through column 15, line 5; column 18, line 52 through column 19, line 3.

Further, claim 28 recites that access to the Internet is denied until the user identifier and a client or client matter identifier are provided by the user. Bedell et al. disclose logging on to a system browser page in order to make use of the system, but does not disclose or suggest denial of access to the Internet until log-in information is provided. See column 19, lines 4-12.

Claim 28 recites performing Internet activity by the user on behalf of the client, where Internet activity includes accessing publicly-available pages and files via the Internet. Bedell et al. list a number of activities that can be performed by a timekeeper using the system, and which the user must manually enter as work product entries in the system when the activity is performed. The list does not include Internet activity as recited in claim 28. See column 24, line 26 through column 25, line 47.

Claim 28 also recites automatically generating a start time value based on a start time of Internet activity. Bedell et al. do not disclose or suggest performance of Internet activity as recited in claim 28, and therefore does not disclose or suggest the automatic generation of a start time value for such activity. Likewise, Bedell et al. do not disclose or suggest automatically generating a completion time value as recited in claim 28, or the automatic generation of an activity record corresponding to the Internet activity performed.

Claim 28 recites automatically storing a session record that includes the start and completion time values, as well as a listing of pages and files accessed by the user while performing the Internet activity. Bedell et al. do not disclose or suggest this feature.

Claim 28 also recites the automatic generation of a bill or a report based on the session record. Bedell et al. do not disclose or suggest generation of the session record recited in claim 28, and therefore cannot disclose or suggest automatic generation of a bill or report. Bedell et al. do disclose generation of a report, but time and billing entries are made manually, not automatically, and are not based on an Internet activity session record. See column 28, line 35 through column 29, line 42.

In summary, Bedell et al. disclose a system that allows attorneys to manually enter work product descriptions and billing information, and provides an Internet-based method for aggregating attorney billing for a client and for planning billed time against a pre-determined budget. Claim 28 recites a system that only allows Internet activity by a user on behalf of a client on entry of user and client/matter identifying information, and which automatically generates a bill based on a session record for the Internet activity. Bedell et al. does not anticipate or suggest the claimed process.

The examiner acknowledged that Bedell et al. do not specifically disclose recording the completion time of the Internet activity and generating a bill and a report based on the session record, as recited in claim 28. The examiner took official notice that recording the start and finish time of Internet activity by a user on behalf of a client and generating a bill and a report based on a session record was well known and common knowledge in the computer usage consulting art. As an example, the examiner cited the public automated patent system, which the examiner asserts logged on and off times of usage while recording search terms used and documents retrieved to provide a search report for a client. The examiner did not state whether this system was available via the

Internet, and did not provide any documentation by which this prior art could be evaluated for rebuttal. The examiner asserted that generating a bill by Bedell et al. based on this report would have been obvious to one of ordinary skill in the art.

However, neither cited system discloses or suggests denying access to the Internet until user and client/matter information is entered; performing Internet activity by the user on behalf of the client, wherein Internet activity includes accessing at least one of publicly-available pages and files via the Internet; performing Internet activity by the user on behalf of the client; automatically generating an activity record corresponding to performed Internet activity; automatic storage of a session record that includes a listing of pages and files accessed by the user via the Internet; or automatically generating a bill or record based on the session record. Because neither reference discloses or suggests any of these claimed features, no combination of the teachings of the references can render obvious the invention recited in claim 28.

For at least the foregoing reasons, the rejection of claim 28 should be withdrawn. Claims 29-38 depend from claim 28, and therefore also are not rendered obvious by the cited references. The rejection of claims 29-38, therefore, should be withdrawn as well. The examiner asserted that claims 29-38 recited design choices that are common knowledge and well known in the art. It is respectfully submitted that the features recited in the dependent claims, which include the features recited in independent claim 28, are not well known in the art, and the teachings of such knowledge cannot be evaluated for completeness or suitability for combination absent some record of the teachings. For example, data entry of a network address, a URL, a search term, etc., as recited in claim

29, might be well known in the art. However, because these features are not disclosed or suggested by Bedell et al., some indication of a motivation for combination must still be demonstrated by the examiner. Further, the activity record features recited in claims 34 and 36 were not discussed in particular by the examiner, and disclosure of these features in the prior art has not been asserted or demonstrated.

Based on the foregoing, it is submitted that all rejections have been overcome. It is therefore requested that the Amendment be entered, the claims allowed, and the case passed to issue. If the examiner does not consider all issues of patentability to be resolved by this Amendment, he is urged to contact the undersigned to schedule an interview.

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Date

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